

**In the
Legislature**



**of the State
of Washington**

DIGEST SUPPLEMENT

To Legislative Digest and History of Bills
Supplement No. 46*

FIFTY-NINTH LEGISLATURE

Tuesday, March 15, 2005

65th Day - 2005 Regular

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House Bills

HB 1220-S2 by House Committee on Appropriations (originally sponsored by Representatives Morrell, Schual-Berke, Cody, Simpson, Campbell, Williams, Chase, Kenney, O'Brien, Clibborn, Conway, Green, Kagi and Upthegrove; by request of Governor Gregoire)

Establishing a joint legislative and executive task force on long-term care financing and chronic care management.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Establishes a joint legislative and executive task force on long-term care financing and chronic care management.

Requires the joint task force to: (1) Report its initial findings to the governor and appropriate committees of the legislature by January 1, 2006;

(2) Report its recommendations to the governor and appropriate committees of the legislature by January 1, 2007; and

(3) Submit a final report to the governor and appropriate committees of the legislature by June 30, 2007.

Provides that the act shall be null and void if appropriations are not approved.

-- 2005 REGULAR SESSION --

Mar 5	APP - Majority; 2nd substitute bill be substituted, do pass.
Mar 7	Passed to Rules Committee for second reading.
Mar 10	Placed on second reading by Rules Committee.
Mar 11	2nd substitute bill substituted. Rules suspended. Placed on Third Reading. Third reading, passed: yeas, 94; nays, 0; absent, 4.

- IN THE SENATE -

Mar 14	First reading, referred to Health & Long-Term Care.
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HB 1415-S2 by House Committee on Appropriations (originally sponsored by Representatives Dickerson, B. Sullivan, Dunshee, Williams, Hunt, Eickmeyer, Chase, Sells and Hasegawa)

Managing impacts of commercial passenger vessels on marine waters.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that large vessels specifically designed for the housing of people upon the seas, unlike vessels designed to transport cargo or petroleum that carry crew as an ancillary function of cargo transport, function primarily as a temporary residential facility, especially while these vessels are stationary at their port of call. The primary function of these vessels is more akin to a floating hotel or a houseboat than it is to a transportation vessel.

Declares an intent to ensure that the blackwater, graywater, and other wastes eventually released by the owners and operators of commercial passenger vessels satisfies the state's standards for protecting the quality of its

waters. It is the traditional and long-standing role of the state to ensure that any substances being released into its waters will not, given the unique nature of the state's local waters, adversely impact either the state's economic or environmental interests.

Declares that except as otherwise provided in this act, a person may not, regardless of intent, release sewage sludge, solid waste, biomedical waste, dangerous waste, untreated graywater, or untreated blackwater from a commercial passenger vessel into any waters of the state.

Provides that except as otherwise provided in this act, a person may not, regardless of intent, release oily bilge water into any waters of the state if not in compliance with applicable federal law.

Does not apply to releases made for the purpose of securing the safety of a commercial passenger vessel or saving life at sea if all reasonable precautions have been taken to prevent or minimize the release.

Declares that, except as provided in this act, a person may not release blackwater into waters of the state from a commercial passenger vessel that calls on a public port in Washington unless the owner or operator of the commercial passenger vessel has been approved for blackwater releases by the department for the vessel in question and satisfies the requirements of this act.

Provides that the department shall approve blackwater releases from a commercial passenger vessel if the owner or operator of the commercial passenger vessel: (1) Can demonstrate to the department's satisfaction, based on effluent limits and requirements for sampling and reporting established by the department, that the blackwater to be released from the vessel will receive an adequate level of treatment to protect the quality of the water receiving the release; and

(2) Has paid the mandatory annual operating fee established in this act.

Provides that the owner or operator of a commercial passenger vessel that is operating under the presumption of adequate blackwater treatment granted in this act may only maintain the presumption of adequacy if the owner or operator agrees with the department to do all of the following when the vessel is at least more than one nautical mile from its berth at a public port in Washington and is traveling at least six knots or more: (1) Sample the quality of the treated blackwater released from the commercial passenger vessel while at berth at a Washington public port at least once during each month that the commercial passenger vessel calls on a public port in Washington;

(2) Share all effluent samples with the department, when requested in writing, for all samples taken in waters of the state;

(3) Conduct a whole effluent toxicity test, or WET test, at least once every two years unless the department provides notification in writing that such testing is unnecessary;

(4) Provide the department, when requested in writing, with duplicate results of tests performed on the commercial passenger vessel's wastewater treatment system in other jurisdictions;

(5) Notify the department at least one week before sampling in waters of the state is to occur, and allow department staff to observe the sampling events when requested;

(6) Immediately report to the department any unauthorized discharges;

(7) Allow the department to conduct a minimum of one inspection of the commercial passenger vessel, if requested in writing, to verify the operating conditions of the wastewater treatment system; and

(8) Notify the department if material changes are made to the wastewater treatment system approved under this act.

Requires that, by November 30, 2007, the department shall submit to the appropriate committees of the legislature a report describing how the management and releases of treated blackwater and graywater from commercial passenger vessels under this act are or are not adequate for protecting water quality and public health. At a minimum, the report must make findings as to whether commercial passenger vessels are releasing treated blackwater and graywater in the same locations, and if so, whether the cumulative effects of these releases degrade the water quality in those areas. The report must also address the dilution and dispersion of viruses in the treated blackwater and the impact on shellfish for human consumption.

Provides that for each year from 2005 until 2010, the department shall analyze all water quality data received from commercial passenger vessels and make available to the public, using the agency's web site, by December 31st of each year a report that summarizes all data collected in lay terms.

-- 2005 REGULAR SESSION --

- Mar 3 APP - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.
- Mar 7 Passed to Rules Committee for second reading.
- Mar 8 Made eligible to be placed on second reading.
- Mar 9 Placed on second reading by Rules Committee.
- Mar 10 2nd substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 94; nays, 0; absent, 4.

- IN THE SENATE -

- Mar 12 First reading, referred to Water, Energy & Environment.

HB 1418-S2 by House Committee on Appropriations (originally sponsored by Representatives Kirby, Roach, Simpson, Santos, Campbell, Orcutt, Williams and Serben)

Regulating insurance overpayment recovery practices.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Provides that an insurer may not retroactively deny, adjust, or seek recoupment or refund of a paid claim for health care expenses submitted by a health care provider for any reason, other than fraud or coordination of benefits, after the expiration of one year from the date that the initial claim was paid.

Takes effect January 1, 2006.

-- 2005 REGULAR SESSION --

- Mar 3 APP - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.
- Mar 7 Passed to Rules Committee for second reading.
- Mar 9 Placed on second reading by Rules Committee.
- Mar 11 2nd substitute bill substituted.
Floor amendment(s) adopted.
Rules suspended. Placed on Third

Reading.

Third reading, passed: yeas, 93; nays, 0; absent, 5.

HB 1758-S2 by House Committee on Appropriations (originally sponsored by Representatives Kessler, Nixon, Haigh, Chandler, Clements, Schindler, Hunt, Hunter, Hinkle, Takko, B. Sullivan, Miloscia, Buck and Shabro; by request of Attorney General)

Revising public disclosure law.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Revises public disclosure law.

-- 2005 REGULAR SESSION --

- Mar 5 APP - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.
- Mar 7 Passed to Rules Committee for second reading.
- Mar 8 Made eligible to be placed on second reading.
- Mar 9 Placed on second reading by Rules Committee.

HB 1909-S by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Hinkle, Pettigrew, Armstrong, Kessler, Holmquist, Miloscia, Priest, Dunshee, Nixon, Ericks, Williams, Haigh and Anderson)

Creating the office of the inspector general.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the office of inspector general within the office of the governor in order to create an independent unit to: (1) Conduct and supervise investigations relating to allegations of fraud; and

(2) Inform the governor and the legislature about vulnerabilities and deficiencies relating to the detection and prevention of fraud as may be discovered as a result of completed investigations conducted or coordinated by the office.

Designates the office as a criminal justice agency.

Requires the inspector general to submit a report summarizing the activities of the office to the appropriate committees of the senate and house of representatives by November 30, 2005, by November 30, 2006, and by November of every even-numbered year thereafter. The report shall contain only disclosable information, including: (1) A description of significant fraud, and of vulnerabilities or deficiencies relating to the prevention and detection of fraud, discovered as a result of investigations completed during the reporting period;

(2) A description of corrective action taken by government entities regarding fraud discovered as a result of investigations conducted by the office;

(3) Recommendations for improving the activities of the office with respect to the vulnerabilities or deficiencies identified under this act;

(4) An identification of each significant recommendation described in the previous reports on which corrective action has or has not been completed; and

(5) A summary of matters referred to prosecution authorities during the reporting period and the charges filed

and convictions entered during the reporting period that have resulted from referrals by the office.

Requires the inspector general to forward a draft of the report to any government entity identified in the report not less than twenty days before the date that the report is to be issued.

Directs the governor to make copies of the report available to the public upon request and at a reasonable cost at the same time the report of the inspector general is provided to legislative committees.

Transfers all powers, duties, and functions of the fraud units to the office of the inspector general.

Declares that it is an unfair practice for any employer, employment agency, labor union, government agency, government manager, or government supervisor to discharge, expel, discriminate, or otherwise retaliate against an individual assisting with an office of inspector general investigation under this act, unless the individual has made willful disregard for the truth.

-- 2005 REGULAR SESSION --

Mar 2 SGOA - Majority; 1st substitute bill be substituted, do pass.
Minority; without recommendation.
Referred to Appropriations.

HB 1951-S by House Committee on Education
(originally sponsored by Representatives Quall, Talcott, Haler, Morrell, Campbell, O'Brien, Hankins, Kagi and McDermott)

Regarding vision exams for school-aged children.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, for a child who is diagnosed with a learning disability after September 1, 2006, a parent or guardian shall provide to school health personnel proof that the child has received a comprehensive eye examination performed by a licensed optometrist or ophthalmologist chosen by the child's parent or guardian. Consideration should be given to testing binocular vision, accommodation, and convergence. Proof of a comprehensive eye examination having been performed within the previous twelve months of the diagnosis of a learning disability is sufficient under this act.

Requires schools and school districts to inform parents of the eye examination required under this act and shall, to the extent practical, assist parents of children who do not have access to adequate insurance coverage by providing information regarding resources for eye examinations.

Directs the superintendent of public instruction to collect and disseminate to school districts information regarding resources for low-cost or no-cost comprehensive eye examinations, including contact information for the optometric physicians of Washington and the Washington academy of eye physicians and surgeons.

-- 2005 REGULAR SESSION --

Mar 1 ED - Majority; 1st substitute bill be substituted, do pass.
Mar 2 Passed to Rules Committee for second reading.
Mar 10 Placed on second reading by Rules Committee.
Mar 11 1st substitute bill substituted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 93; nays, 0;

absent, 5.

- IN THE SENATE -
Mar 14 First reading, referred to Early Learning, K-12 & Higher Education.

HB 1956-S by House Committee on Education
(originally sponsored by Representatives Upthegrove, Lantz, Quall and Santos)

Requiring civics assessments.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that instruction in social studies, arts, health, and fitness is important to ensure a well-rounded and complete education. In particular, the civic mission of schools is strengthened and enhanced by comprehensive civics education and assessments.

Finds that effective and accountable democratic government depends upon an informed and engaged citizenry, and therefore, students should learn their rights and responsibilities as citizens, where those rights and responsibilities come from, and how to exercise them.

Provides that, beginning with the 2006-07 school year, school districts shall require students in the fourth or fifth grades, the seventh or eighth grades, and the eleventh or twelfth grades to each complete at least one classroom-based assessment in civics. The civics assessment shall be selected from a list of classroom-based assessments approved by the office of the superintendent of public instruction. Beginning with the 2006-07 school year, school districts shall annually submit implementation verification reports to the office of the superintendent of public instruction documenting the use of the classroom-based assessments in civics.

-- 2005 REGULAR SESSION --

Mar 1 ED - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Mar 2 Passed to Rules Committee for second reading.

HB 1970-S by House Committee on State Government Operations & Accountability
(originally sponsored by Representatives P. Sullivan, Springer, Miloscia, Upthegrove, Morrell, Haigh, O'Brien, Linville and Takko; by request of Governor Gregoire)

Improving government management, accountability, and performance.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that: (1) Each state agency shall, within available funds, develop and implement a management, accountability, and performance system to improve the public services it provides.

(2) Each agency shall ensure that managers and staff at all levels are engaged in the system and shall provide managers and staff with the training necessary for successful implementation.

(3) Each agency shall, within available funds, ensure that its management, accountability, and performance system: (a) Uses strategic business planning to establish goals, objectives, and activities consistent with the priorities of government, as provided in statute;

(b) Engages stakeholders and customers in establishing

service requirements and improving service delivery systems;

(c) Includes clear, relevant, and easy-to-understand measures for each activity;

(d) Gathers, monitors, and analyzes activity data;

(e) Uses the data to evaluate the effectiveness of programs to manage process performance, improve efficiency, and reduce costs;

(f) Establishes performance goals and expectations for employees that reflect the organization's objectives; and provides for regular assessments of employee performance;

(g) Uses activity measures to report progress toward agency objectives to the agency director at least quarterly;

(h) Where performance is not meeting intended objectives, holds regular problem-solving sessions to develop and implement a plan for addressing gaps; and

(i) Allocates resources based on strategies to improve performance.

Requires state agencies whose chief executives are appointed by the governor to report to the governor on agency performance at least quarterly.

Provides that the governor shall report annually to citizens on the performance of state agency programs. The governor's report shall include: (1) Progress made toward the priorities of government as a result of agency activities; and

(2) Improvements in agency management systems, fiscal efficiency, process efficiency, asset management, personnel management, statutory and regulatory compliance, and management of technology systems.

Requires the senate and house of representatives to each develop and implement quality improvement programs as described under this act by June 30, 2005, and shall report the results of these efforts to the leadership of each major political party caucus within its respective house.

Encourages the supreme court to develop and implement quality improvement programs, as described under this act, for the judicial branch of government, by June 30, 2005, and shall report the results of these efforts to the chief justice. The programs may be implemented directly by the supreme court or may be delegated to the administrator for the courts.

-- 2005 REGULAR SESSION --

- Mar 2 SGOA - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Referred to Appropriations.
- Mar 5 APP - Executive action taken by committee.
APP - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.
- Mar 7 Passed to Rules Committee for second reading.
- Mar 8 Placed on second reading by Rules Committee.
- Mar 10 2nd substitute bill substituted.

HB 1987-S by House Committee on Education
(originally sponsored by Representatives Priest, Ormsby, Curtis and Anderson)

Regarding alternative assessments.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, by January 15, 2006, the office of the superintendent of public instruction, as part of any feasibility study of options for the alternative assessments under RCW 28A.655.061(11), shall review the course requirements and assessments in one or more representative career and technical programs that lead to industry certification to determine the alignment of the courses and assessments with the essential academic learning requirements measured in the high school Washington assessment of student learning.

Declares that the purpose of the review is to determine if the certifications can be used as evidence that a student has met the standards measured by the Washington assessment of student learning. The review also shall evaluate the statewide availability and use of the certifications. As part of the review, the superintendent shall make a determination of the extent to which the certifications are comparable in rigor to the reading, writing, mathematics, or science Washington assessments of student learning, and whether they should be used as alternative assessments. The superintendent also shall develop a process for reviewing additional industry certification programs after the initial review.

-- 2005 REGULAR SESSION --

- Mar 1 ED - Majority; 1st substitute bill be substituted, do pass.
- Mar 2 Passed to Rules Committee for second reading.
- Mar 7 Made eligible to be placed on second reading.
- Mar 8 Placed on second reading by Rules Committee.
- Mar 10 1st substitute bill substituted.
Rules suspended. Placed on Third Reading.
Third reading, passed: yeas, 95; nays, 0; absent, 3.

- IN THE SENATE -

- Mar 12 First reading, referred to Early Learning, K-12 & Higher Education.

HB 2027-S by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Green, Nixon, Haigh, Kessler and Kagi; by request of Secretary of State)

Changing the date of the primary. Revised for 1st Substitute: Changing primary dates and associated election procedures.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Repeals RCW 29A.04.158, 29A.04.311, 29A.24.031, and 29A.24.211.

-- 2005 REGULAR SESSION --

- Mar 2 SGOA - Majority; 1st substitute bill be substituted, do pass.
Referred to Appropriations.
- Mar 5 APP - Executive action taken by committee.
- Mar 7 Passed to Rules Committee for second reading.
- Mar 10 Placed on second reading by Rules Committee.

HB 2045-S by House Committee on Education (originally sponsored by Representatives Hunter, Tom, Dunshee, Jarrett, Fromhold, Anderson, Hunt, Linville and Haigh)

Providing a salary bonus for teachers who maintain certification from the national board for professional teaching standards.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides a salary bonus for teachers who maintain certification from the national board for professional teaching standards.

Declares that the annual bonus shall be three thousand five hundred dollars.

Authorizes an additional annual bonus of ten thousand dollars for each year in which the certificated staff is employed full time teaching either reading, writing, mathematics, or science in the classroom of a Title I school in which students in one or more of the subgroups identified under the federal no child left behind act of 2001 failed in the previous school year to make adequate yearly progress toward the proficient level on the Washington assessment of student learning.

Provides that, by August 1, 2008, the Washington professional educator standards board shall review the national board certification standards to determine whether the standards are sufficiently rigorous and aligned to student achievement. The board shall also determine whether additional requirements are needed to ensure that the national standards meet the needs of Washington's students.

Provides that, by December 15, 2010, the Washington professional educator standards board shall report to the appropriate house of representatives and senate committees on the results and accomplishments of the salary bonuses. The report may include recommendations for the continuation, modification, or elimination of the bonuses.

-- 2005 REGULAR SESSION --

Mar 2 ED - Majority; 1st substitute bill be substituted, do pass.
Referred to Appropriations.

HB 2062-S by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Darneille, Nixon, Simpson, Hunt, Upthegrove, Green, Chase, Dickerson, Moeller, Flannigan, Pettigrew, O'Brien, Kagi and Santos)

Tracking the voter registration of former felons.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to establish a clear standard for the restoration of the voting rights of former felons and to institute a data system in the office of the secretary of state that will provide information about the restoration of former felon voting rights that will be available to local election officials.

Declares that if an offender has previously had his or her right to vote restored under this act and is subsequently convicted of a crime committed on or after the effective date of this act, the sentencing court shall send notice to the secretary of state that the offender has permanently lost his or her right to vote.

Requires the notice to contain the county where the current conviction occurred and the last known residence of the offender, if any.

Requires that, upon receipt of notice under this act that an offender has permanently lost his or her right to vote, the secretary of state shall maintain the information in the elections data base. The secretary of state shall transmit notice that the offender has lost the right to vote to every county auditor in this state.

-- 2005 REGULAR SESSION --

Mar 2 SGOA - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.
Mar 10 Placed on second reading by Rules Committee.

HB 2089-S by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Hunt, Haigh, Kirby, Armstrong, Nixon and Williams)

Changing the gift limitation for state officers and employees.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises the gift limitation for state officers and employees to seventy-five dollars.

Provides that, once properly received under this act, the item received is the personal property of the recipient to dispose of as the recipient chooses.

-- 2005 REGULAR SESSION --

Mar 2 SGOA - Majority; 1st substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.

HB 2110-S by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Williams, Wood, Clibborn, Rodne and Simpson)

Clarifying access to accident reports and information compiled by the Washington state patrol.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to clarify that the public shall have access under the public disclosure act to all accident reports and information compiled or collected by the Washington state patrol under this statute.

Declares that such accident reports and information and any statistical analysis thereof under this act shall be available from the Washington state patrol to the general public upon request under the provisions of chapter 42.17 RCW.

-- 2005 REGULAR SESSION --

Mar 2 SGOA - Majority; 1st substitute bill be substituted, do pass.
Mar 3 Passed to Rules Committee for second reading.
Mar 7 Made eligible to be placed on second reading.
Mar 8 Placed on second reading by Rules Committee.

HB 2289 by Representatives Sommers and Cody
 Relating to hospital efficiencies.
 Introduced by title and introductory section only.

-- 2005 REGULAR SESSION --
 Mar 14 First reading, referred to Appropriations.

HB 2290 by Representatives McDonald, Ahern and Kristiansen

Changing provisions relating to drunk driving-related prior offenses.

Revises provisions relating to drunk driving-related prior offenses.

-- 2005 REGULAR SESSION --
 Mar 14 First reading, referred to Judiciary.

HB 2291 by Representative Dickerson

Temporarily authorizing increased maximum school levy rates for financial emergencies.

Provides for temporarily authorizing increased maximum school levy rates for financial emergencies.

-- 2005 REGULAR SESSION --
 Mar 14 First reading, referred to Education.

House Joint Memorials

HJM 4003-S by House Committee on Transportation
 (originally sponsored by Representatives Erickson, Kessler, Haler, O'Brien, Talcott, Chase, Dickerson and B. Sullivan)

Requesting Congress to consider Washington for magnetic levitation transportation funding.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requests Congress to consider Washington for magnetic levitation transportation funding.

-- 2005 REGULAR SESSION --
 Mar 3 TR - Majority; 1st substitute bill be substituted, do pass.
 Minority; do not pass.
 Mar 7 Passed to Rules Committee for second reading.
 Mar 8 Placed on second reading by Rules Committee.
 Mar 14 1st substitute bill substituted.
 Rules suspended. Placed on Third Reading.
 Third reading, adopted: yeas, 97; nays, 0;
 absent, 1.

HJM 4010-S by House Committee on Education
 (originally sponsored by Representatives Linville, Jarrett, Quall, Williams, Darneille, Kenney, Chase, Ormsby, Simpson, Miloscia, Sells and Schual-Berke; by request of Superintendent of Public Instruction)

Petitioning the President and Congress to fully fund the No Child Left Behind Act of 2001.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Petitions the President and Congress to fully fund the No Child Left Behind Act of 2001.

-- 2005 REGULAR SESSION --

Mar 2 ED - Majority; 1st substitute bill be substituted, do pass.
 Passed to Rules Committee for second reading.

Senate Bills

SB 5202-S2 by Senate Committee on Ways & Means
 (originally sponsored by Senators Parlette, Hewitt, Zarelli, Brandland, Schoesler, Delvin, Mulliken, Johnson, Rasmussen, Benton, Roach, Oke, Benson and Stevens)

Requiring the public employees' benefits board to develop a health savings account option for employees. Revised for 2nd Substitute: Requiring a study of public employee health plans and health savings account options.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Requires the public employees' benefits board, under chapter 41.05 RCW, to study alternatives for the provision of a high deductible health plan and health savings accounts for employees that conform to section 223, Part VII of subchapter B of chapter 1 of the internal revenue code of 1986.

Requires the board to submit a report to the legislature by December 1, 2005, on options for implementation of a pilot program and a full scale offering. The board's report shall include estimates of the fiscal impact of each option.

-- 2005 REGULAR SESSION --

Mar 7 WM - Majority; 2nd substitute bill be substituted, do pass.
 Minority; without recommendation.
 Passed to Rules Committee for second reading.
 Mar 8 Placed on second reading by Rules Committee.
 Mar 9 2nd substitute bill substituted.
 Rules suspended. Placed on Third Reading.
 Third reading, passed: yeas, 47; nays, 0;
 absent, 2.

- IN THE HOUSE -
 Mar 10 First reading, referred to Health Care.

SB 5286-S by Senate Committee on Ways & Means
(originally sponsored by Senators Kastama, Prentice and Doumit)

Restricting postretirement employment for members of the public employees' retirement system plan 1 and the teachers' retirement system plan 1.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Restricts postretirement employment for members of the public employees' retirement system plan 1 and the teachers' retirement system plan 1.

-- 2005 REGULAR SESSION --

Mar 7 WM - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.

SB 5405-S2 by Senate Committee on Ways & Means
(originally sponsored by Senators Jacobsen, Swecker, Doumit, Hargrove, Spanel and Morton)

Establishing the future of Washington forests review council.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Declares that the purpose of the council is to: (1) Gather data necessary to understanding the economic, recreational, and environmental contributions of the forest products industry and secondary manufacturing sectors in Washington state and the trends that will influence the industry in the future; and

(2) Develop recommendations for policy changes that will contribute to maintaining the economic stability and growth of the forest products industry in Washington state.

Finds that the western slopes of the Cascade mountain range in Whatcom, Skagit, Snohomish, King, Pierce, Thurston, and Lewis counties are experiencing increasing demands for a wide range of uses by the growing population in the Puget Sound basin. These lands provide important economic, forest, fish and wildlife, recreation, scenic, educational, and watershed benefits to the entire region.

Finds that it is in the public's interest to assist Cascade foothills area landowners and communities in retaining responsible, working forestry in the lower elevations of this area to sustain timber-dependent economies while acknowledging ecological and environmental benefits from the forests.

Requires the future of Washington forests review council to report the findings and recommendations required by this act to the appropriate policy and fiscal committees of the senate and house of representatives by December 31, 2007.

Terminates the future of Washington forests review council and its powers and duties on June 30, 2008.

-- 2005 REGULAR SESSION --

Mar 7 WM - Majority; 2nd substitute bill be substituted, do pass.
Passed to Rules Committee for second reading.
Mar 10 Placed on second reading by Rules Committee.

SB 5411-S2 by Senate Committee on Ways & Means
(originally sponsored by Senators Pridemore, Kohl-Welles, Benton, Schmidt, McAuliffe, Zarelli, Rasmussen, Thibaudeau, Doumit, Shin, Regala, Keiser, Prentice, Fairley, Jacobsen and Pflug)

Authorizing branch campuses to offer lower-division courses.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that the University of Washington Bothell, University of Washington Tacoma, Washington State University Tri-Cities, and Washington State University Vancouver have each conducted a thorough review of the campus mission and model of educational services and made recommendations to the legislature for the future evolution of the campus.

Recognizes that there are regional differences in relation to capacity gaps and programmatic needs of students that require a differential approach to individual branch campus expansion and that similar treatment of each campus may no longer be the most efficient way in which to address the higher education needs of the state.

Expresses a belief that the original mission of branch campuses to contribute to regional economic development requires differential treatment of each campus based on the regional economic and higher education needs.

Declares an intent to authorize each campus to expand its educational offerings to include lower-division courses but the expansion shall be unique to each campus, reflect the needs of the region the campus serves, and continue to support collaboration with the entire higher education system.

Declares an intent to make decisions relating to enrollments and per-student funding for the higher education institutions in the omnibus operating budget.

-- 2005 REGULAR SESSION --

Mar 7 WM - Majority; 2nd substitute bill be substituted, do pass.
Minority; without recommendation.
Passed to Rules Committee for second reading.
Mar 9 Placed on second reading by Rules Committee.

SB 5431-S2 by Senate Committee on Ways & Means
(originally sponsored by Senators Spanel, Rockefeller, Pridemore, Poulsen, Kohl-Welles, Doumit, Regala, Fraser, Kline and McCaslin)

Concerning the management of on-site sewage systems in marine areas. Revised for 1st Substitute: Concerning on-site sewage disposal systems.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Declares it is the purpose of this act to authorize enhanced local programs in marine recovery areas to inventory existing on-site sewage disposal systems, to identify the location of all on-site sewage disposal systems near marine recovery areas, to require inspection of on-site sewage disposal systems and repairs to those systems that are failing, to develop data bases capable of sharing information regarding on-site sewage disposal systems, and to monitor the progress of implementing these programs to ensure that they are working to protect public health and the quality of Puget Sound waters.

Requires that, by July 1, 2006, the local health officer shall designate a marine recovery area for those land areas where on-site sewage disposal systems are a significant factor contributing to public health and environmental concerns, and where associated with: (1) Shellfish growing areas that have been downgraded by the department under chapter 69.30 RCW;

(2) State waters that are listed by the department of ecology under Section 303(d) of the federal clean water act (33 U.S.C. Sec. 1251 et seq.) for low-dissolved oxygen or fecal coliform; or

(3) Marine waters that have been identified by the local health officer with nitrogen as a contaminant of concern.

Provides that, after July 1, 2006, the local health officer may designate additional areas where new information indicates additional land areas meet the criteria of this section. Where the department recommends the designation of an area or the expansion of a designated area, the local health officer shall notify the department of its decision concerning the recommendation within ninety days of receipt of the recommendation.

Requires that, by July 1, 2007, and thereafter, the local health officers of health jurisdictions in the twelve counties bordering Puget Sound where a marine recovery area has been designated under this act shall each develop and approve an on-site sewage disposal system program implementation plan that will guide the local health jurisdiction in the development and management of all on-site sewage disposal systems within the marine recovery areas within its jurisdiction. The department may grant an extension of twelve months where the local health jurisdiction has demonstrated substantial progress toward completion of the plan.

Requires the on-site sewage disposal system program implementation plan for the marine recovery area to include how the local health jurisdiction will: (1) By July 1, 2010, find failing systems and ensure system owners make necessary repairs;

(2) By July 1, 2010, find unknown systems and ensure they are inspected and ensure they are functioning properly, and repairs are made as necessary;

(3) Implement the requirements for inspection, reporting, and completing necessary repairs required under this act;

(4) Identify the additional requirements for operation, maintenance, and monitoring that are commensurate with the risks posed by on-site sewage disposal systems in the marine recovery area;

(5) Facilitate education of owners of on-site sewage disposal systems regarding requirements for owners;

(6) Provide operation and maintenance information for owners of all system types in use within the marine recovery area;

(7) Ensure owners of on-site sewage disposal systems complete operation and maintenance inspections as required by rules adopted by the board;

(8) Maintain all records as required by rules adopted by the board including inspections and repairs;

(9) Enforce applicable on-site sewage disposal system permit requirements; and

(10) If necessary, recommend alternatives to conventional on-site sewage disposal systems such as extending sewer services, developing community sewage systems, and encouraging on-site sewage disposal system technologies that present greater treatment performance, particularly regarding the reduction or removal of nitrogen.

Requires each local health officer to develop and maintain an electronic data system of all on-site sewage disposal systems within marine recovery areas to enable local health jurisdictions to actively manage on-site sewage

disposal systems.

Requires the owner of an on-site sewage disposal system to obtain an inspection of the system by an on-site sewage disposal system professional approved by the county when: (1) The property is sold to another person; or

(2) A building permit is required for the structure served by the system for the purpose of reconstruction or a substantial remodel of the structure.

Directs the department of health to report to the appropriate committees of the senate and house of representatives by December 31, 2007, on progress in designating marine recovery areas and developing and implementing on-site sewage disposal system implementation plans for such areas.

Requires that, from funds appropriated in the biennial appropriations act for the purposes of this act, the department shall administer a program of financial assistance for the repair and replacement of on-site sewage disposal systems in counties with marine waters.

-- 2005 REGULAR SESSION --

Mar 7 WM - Majority; 2nd substitute bill be substituted, do pass.
Minority; without recommendation.
Passed to Rules Committee for second reading.

Mar 10 Placed on second reading by Rules Committee.

SB 5509-S2 by Senate Committee on Ways & Means
(originally sponsored by Senators Poulsen, Esser, Fraser, Schmidt, Pridemore, Fairley, Berkey, Kohl-Welles, Kline, Regala, Rockefeller, Weinstein, Brown, Keiser and McAuliffe)

Requiring public buildings to be built using high-performance green building standards. Revised for 1st Substitute: Concerning high-performance building standards.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that public buildings can be built and renovated using high-performance methods that save money, improve school performance, and make workers more productive. High-performance green buildings are proven to increase student test scores, reduce worker absenteeism, and cut energy and utility costs.

Declares an intent that state-owned buildings and schools be improved by adopting nationally recognized standards for high-performance green buildings and allowing flexible methods and choices in how to achieve those standards.

Declares an intent that public agencies and public school districts shall document costs and savings to monitor this program and ensure that economic, community, and environmental goals are achieved each year, and that an independent performance review be conducted to evaluate this program and determine the extent to which the results intended by this act are being met.

Requires that all major facility projects of public agencies receiving any funding in a state capital budget shall be designed, constructed, and certified to at least the LEED silver standard.

Requires public agencies and public school districts to monitor and document ongoing operating savings resulting from major facility projects designed, constructed, and certified as required under this act.

Provides that public agencies shall report annually to

the department on its major facility projects and operating savings.

Provides that the joint legislative audit and review committee, or its successor legislative agency, shall conduct a performance review of the high-performance buildings program established under this act.

Requires the performance audit to include, but not be limited to: (1) The identification of the costs of implementation of high-performance building standards in the design and construction of major facility projects subject to this act;

(2) The identification of operating savings attributable to the implementation of high-performance building standards, including but not limited to savings in energy, utility, and maintenance costs;

(3) The identification of any impacts of high-performance buildings standards on worker productivity and student performance; and

(4) An evaluation of the effectiveness of the high-performance building standards established under this act, and recommendations for any changes in those standards that may be supported by the committee's findings.

Directs the committee to make a preliminary report of its findings and recommendations on or before December 1, 2010, and a final report on or before July 1, 2011.

-- 2005 REGULAR SESSION --

- Mar 7 WM - Majority; 2nd substitute bill be substituted, do pass.
Minority; do not pass.
Minority; without recommendation.
Passed to Rules Committee for second reading.
- Mar 10 Placed on second reading by Rules Committee.
- Mar 11 1st substitute bill substituted.

SB 6085 by Senators Hewitt and Honeyford

Addressing the unfunded actuarial accrued liability in plan 1 of the public employees' retirement system and plan 1 of the teachers' retirement system.

Declares an intent to provide for the systematic payment of the plans 1 unfunded liability in a manner that promotes contribution rate adequacy and stability for the affected systems over time.

-- 2005 REGULAR SESSION --

- Mar 12 First reading, referred to Ways & Means.

LIST OF BILLS IN DIGEST SUPPLEMENTS CONT.

SENATE

HOUSE

HB 2149	Supp. 31	HB 2212	Supp. 33
HB 2150	Supp. 31	HB 2212-S	Supp. 42
HB 2151	Supp. 31	HB 2212-S2	Supp. 45
HB 2152	Supp. 31	HB 2213	Supp. 33
HB 2152-S	Supp. 41	HB 2214	Supp. 34
HB 2153	Supp. 31	HB 2215	Supp. 34
HB 2154	Supp. 31	HB 2215-S	Supp. 42
HB 2155	Supp. 31	HB 2216	Supp. 34
HB 2155-S	Supp. 41	HB 2217	Supp. 34
HB 2156	Supp. 31	HB 2218	Supp. 34
HB 2156-S	Supp. 42	HB 2219	Supp. 34
HB 2157	Supp. 31	HB 2220	Supp. 34
HB 2157-S	Supp. 44	HB 2221	Supp. 34
HB 2158	Supp. 31	HB 2222	Supp. 34
HB 2159	Supp. 31	HB 2223	Supp. 34
HB 2160	Supp. 31	HB 2223-S	Supp. 43
HB 2161	Supp. 31	HB 2224	Supp. 34
HB 2162	Supp. 31	HB 2225	Supp. 34
HB 2163	Supp. 31	HB 2225-S	Supp. 42
HB 2163-S	Supp. 36	HB 2226	Supp. 34
HB 2163-S2	Supp. 45	HB 2227	Supp. 34
HB 2164	Supp. 31	HB 2228	Supp. 34
HB 2165	Supp. 31	HB 2229	Supp. 34
HB 2165-S	Supp. 42	HB 2230	Supp. 34
HB 2166	Supp. 31	HB 2231	Supp. 34
HB 2167	Supp. 31	HB 2232	Supp. 35
HB 2168	Supp. 31	HB 2233	Supp. 35
HB 2169	Supp. 31	HB 2234	Supp. 35
HB 2169-S	Supp. 43	HB 2235	Supp. 35
HB 2170	Supp. 31	HB 2236	Supp. 35
HB 2171	Supp. 31	HB 2237	Supp. 35
HB 2171-S	Supp. 41	HB 2238	Supp. 35
HB 2172	Supp. 32	HB 2239	Supp. 35
HB 2172-S	Supp. 41	HB 2240	Supp. 35
HB 2173	Supp. 32	HB 2241	Supp. 35
HB 2173-S	Supp. 42	HB 2242	Supp. 35
HB 2174	Supp. 32	HB 2243	Supp. 35
HB 2175	Supp. 32	HB 2244	Supp. 35
HB 2175-S	Supp. 43	HB 2245	Supp. 36
HB 2176	Supp. 32	HB 2245-S	Supp. 41
HB 2177	Supp. 32	HB 2246	Supp. 36
HB 2178	Supp. 32	HB 2246-S	Supp. 41
HB 2179	Supp. 32	HB 2247	Supp. 36
HB 2179-S	Supp. 42	HB 2248	Supp. 36
HB 2180	Supp. 32	HB 2249	Supp. 36
HB 2181	Supp. 32	HB 2250	Supp. 36
HB 2181-S	Supp. 43	HB 2251	Supp. 37
HB 2182	Supp. 32	HB 2252	Supp. 37
HB 2183	Supp. 32	HB 2253	Supp. 37
HB 2184	Supp. 32	HB 2254	Supp. 37
HB 2184-S	Supp. 42	HB 2255	Supp. 37
HB 2185	Supp. 32	HB 2256	Supp. 37
HB 2186	Supp. 32	HB 2257	Supp. 37
HB 2187	Supp. 32	HB 2257-S	Supp. 42
HB 2188	Supp. 32	HB 2257-S2	Supp. 45
HB 2189	Supp. 32	HB 2258	Supp. 37
HB 2190	Supp. 32	HB 2259	Supp. 37
HB 2190-S	Supp. 42	HB 2259-S	Supp. 42
HB 2191	Supp. 32	HB 2259-S2	Supp. 45
HB 2192	Supp. 32	HB 2260	Supp. 37
HB 2193	Supp. 32	HB 2261	Supp. 37
HB 2194	Supp. 32	HB 2262	Supp. 37
HB 2194-S	Supp. 42	HB 2263	Supp. 37
HB 2195	Supp. 32	HB 2264	Supp. 37
HB 2196	Supp. 32	HB 2265	Supp. 37
HB 2196-S	Supp. 45	HB 2266	Supp. 37
HB 2197	Supp. 32	HB 2266-S	Supp. 42
HB 2198	Supp. 33	HB 2267	Supp. 38
HB 2199	Supp. 33	HB 2268	Supp. 38
HB 2200	Supp. 33	HB 2269	Supp. 38
HB 2201	Supp. 33	HB 2270	Supp. 38
HB 2202	Supp. 33	HB 2271	Supp. 38
HB 2202-S	Supp. 41	HB 2272	Supp. 38
HB 2203	Supp. 33	HB 2273	Supp. 38
HB 2204	Supp. 33	HB 2274	Supp. 39
HB 2205	Supp. 33	HB 2275	Supp. 39
HB 2206	Supp. 33	HB 2276	Supp. 40
HB 2207	Supp. 33	HB 2277	Supp. 40
HB 2208	Supp. 33	HB 2278	Supp. 40
HB 2209	Supp. 33	HB 2279	Supp. 40
HB 2210	Supp. 33	HB 2280	Supp. 40
HB 2210-S	Supp. 42	HB 2281	Supp. 41
HB 2211	Supp. 33	HB 2282	Supp. 41

LIST OF BILLS IN DIGEST SUPPLEMENTS CONT.

SENATE**HOUSE**

HB 2283	Supp. 41
HB 2284	Supp. 41
HB 2285	Supp. 43
HB 2286	Supp. 44
HB 2287	Supp. 44
HB 2288	Supp. 44
HJM 4000	Supp. 4
HJM 4001	Supp. 5
HJM 4001-S	Supp. 21
HJM 4002	Supp. 5
HJM 4003	Supp. 5
HJM 4004	Supp. 8
HJM 4005	Supp. 11
HJM 4006	Supp. 11
HJM 4007	Supp. 14
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HJM 4009	Supp. 18
HJM 4009-S	Supp. 39
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HJM 4014	Supp. 23
HJM 4015	Supp. 23
HJM 4016	Supp. 24
HJM 4017	Supp. 27
HJM 4018	Supp. 28
HJM 4018-S	Supp. 42
HJM 4019	Supp. 29
HJM 4020	Supp. 37
HJR 4200	Supp. 1
HJR 4201	Supp. 9
HJR 4202	Supp. 9
HJR 4203	Supp. 12
HJR 4204	Supp. 13
HJR 4205	Supp. 13
HJR 4205-S	Supp. 21
HJR 4206	Supp. 15
HJR 4207	Supp. 16
HJR 4208	Supp. 16
HJR 4209	Supp. 22
HJR 4210	Supp. 22
HJR 4211	Supp. 24
HJR 4212	Supp. 24
HCR 4400	Supp. 1
HCR 4401	Supp. 1
HCR 4402	Supp. 1
HCR 4403	Supp. 1
HCR 4404	Supp. 17
HCR 4405	Supp. 19
HCR 4406	Supp. 26
HCR 4406-S	Supp. 38
HCR 4407	Supp. 33
HCR 4408	Supp. 35